



Sen. Michael W. Frerichs

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09500SB0439sam002

LRB095 10021 JAM 33477 a

1 AMENDMENT TO SENATE BILL 439

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 439 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Election Code is amended by changing  
5 Section 16-5.01 as follows:

6 (10 ILCS 5/16-5.01) (from Ch. 46, par. 16-5.01)

7 Sec. 16-5.01. (a) The election authority shall, at least 60  
8 days prior to the date of any general election at which federal  
9 officers are elected and 45 days prior to any other regular  
10 election, have a sufficient number of ballots printed so that  
11 such ballots will be available for mailing 60 days prior to the  
12 date of the election to persons who have filed application for  
13 a ballot under the provisions of Article 20 of this Act.

14 (b) If at any general election at which federal offices are  
15 elected the election authority is unable to comply with the  
16 provisions of subsection (a), the election authority shall mail

1 to each such person, in lieu of the ballot, a Special Write-in  
 2 Absentee Voter's Blank Ballot. The Special Write-in Absentee  
 3 Voter's Blank Ballot shall be used only at general elections at  
 4 which federal officers are elected and shall be prepared by the  
 5 election authority in substantially the following form:

6 Special Write-in Absentee Voter's Blank Ballot

7 (To vote for a person, write the title of the office and  
 8 his or her name on the lines provided. Place to the left of and  
 9 opposite the title of office a square and place a cross (X) in  
 10 the square.)

11 Title of Office

Name of Candidate

12 ( )

13 ( )

14 ( )

15 ( )

16 ( )

17 ( )

18 The election authority shall send with the Special Write-in  
 19 Absentee Voter's Blank Ballot a list of all referenda for which  
 20 the voter is qualified to vote and all candidates for whom  
 21 nomination papers have been filed and for whom the voter is  
 22 qualified to vote. The voter shall be entitled to write in the  
 23 name of any candidate seeking election and any referenda for  
 24 which he or she is entitled to vote.

25 On the back or outside of the ballot, so as to appear when  
 26 folded, shall be printed the words "Official Ballot", the date

1 of the election and a facsimile of the signature of the  
2 election authority who has caused the ballot to be printed.

3 The provisions of Article 20, insofar as they may be  
4 applicable to the Special Write-in Absentee Voter's Blank  
5 Ballot, shall be applicable herein.

6 (c) Notwithstanding any provision of this Code or other law  
7 to the contrary, the governing body of a municipality may  
8 adopt, upon submission of a written statement by the  
9 municipality's election authority attesting to the  
10 administrative ability of the election authority to administer  
11 an election using a ranked ballot to the municipality's  
12 governing body, an ordinance requiring, and that  
13 municipality's election authority shall prepare, a ranked  
14 absentee ballot for municipal and township office candidates to  
15 be voted on in the consolidated election. This ranked ballot  
16 shall be for use only by a qualified voter who either is a  
17 member of the United States military or will be outside of the  
18 United States on the consolidated primary election day and the  
19 consolidated election day. The ranked ballot shall contain a  
20 list of the titles of all municipal and township offices  
21 potentially contested at both the consolidated primary  
22 election and the consolidated election and the candidates for  
23 each office and shall permit the elector to vote in the  
24 consolidated election by indicating his or her order of  
25 preference for each candidate for each office. To indicate his  
26 or her order of preference for each candidate for each office,

1 the voter shall put the number one next to the name of the  
2 candidate who is the voter's first choice, the number 2 for his  
3 or her second choice, and so forth so that, in consecutive  
4 numerical order, a number indicating the voter's preference is  
5 written by the voter next to each candidate's name on the  
6 ranked ballot. The voter shall not be required to indicate his  
7 or her preference for more than one candidate on the ranked  
8 ballot. The voter may not cast a write-in vote using the ranked  
9 ballot for the consolidated election. The election authority  
10 shall, if using the ranked absentee ballot authorized by this  
11 subsection, also prepare instructions for use of the ranked  
12 ballot. The ranked ballot for the consolidated election shall  
13 be mailed to the voter at the same time that the ballot for the  
14 consolidated primary election is mailed to the voter and the  
15 election authority shall accept the completed ranked ballot for  
16 the consolidated election when the authority accepts the  
17 completed ballot for the consolidated primary election.

18 The voter shall also be sent an absentee ballot for the  
19 consolidated election for those races that are not related to  
20 the results of the consolidated primary election as soon as the  
21 consolidated election ballot is certified.

22 The State Board of Elections shall adopt rules for election  
23 authorities for the implementation of this subsection,  
24 including but not limited to the application for and counting  
25 of ranked ballots.

26 (Source: P.A. 86-875.)"